THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4490 of 2007

Dated:06.03.2007

Between:

Kanchiganti Anjamma.

…Petitioner

and

The Revenue Divisional Officer and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4490 of 2007

ORDER:

The petitioner allegedly purchased land admeasuring Ac.1.21 guntas in Survey No.443/O situated at Bommarasipet Village of Shameerpet Mandal in Ranga Reddy District. She claims to have purchased the same under registered sale deed dated 21.10.2005. She approached the second respondent on 03.06.2006 requesting to enter her name in the revenue records, in vain. She again sent another representation in response to which, the second respondent sent a memo bearing Lr.No.B/989/2006, dated 19.08.2006, which reads as under.

GOVERNMENT OF ANDHRA PRADESH
REVENUE DEPARTMENT

Office of the
Mandal Revenue Officer,
Shamirpet Mandal, RRD.

Lr.No.B/989/2006 Dated:19/08/2006.

M E M O

Sub: R.O.R. – R.R.Dist. – Shamirpet (M) – Bomraspet Vg. – Sy.No.443/O Ext.Ac.1.21 gts. – Request for sanction of Mutation – Reg.

Ref: 1) A/o. Smt.Kanchuganti Anjamma,
W/o. K. Bikshapathi , R/o.Bomraspet Vg. dt.3-6-2006.

* * *

You have submitted petition for Mutation land in Sy.No.443/O to an extent of Ac.1-21 gts. situated at Bomraspet Village along with Regd.Sale Document No.6944/05, Dated:21.10.2005.

On verification of this office it is revealed that there is a case between Manthane Shivarama Raju & (2) others V/s Kndhuganti Bikshapathy and (2) others in Spl.Tribunal under A.P.Land Grabbing (Prohibition) Act cum District Judge, R.R.Dist. vide S.R.No.12822/2005 the same is pending.

Hence, your request for mutation cannot be considered.

Mandal Revenue Officer,
Shamirpet (M), R.R.Dist.

When the Mandal Revenue Officer has information that a Court case is pending in respect of the same land claimed by the petitioner, he is justified in informing the petitioner that mutation cannot be considered. Therefore, this Court is not able to agree with the submission of the learned Counsel for the petitioner that no such case is pending before the Special Tribunal constituted under the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982. If the petitioner has any grievance about the impugned memo, she may prefer an appeal under Section 158 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 F, before the appropriate Revenue Divisional Officer having jurisdiction. The question whether a case is pending or not is a matter, which cannot be decided in a Writ Petition.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

06.03.2007
vs